

# HOUSE . . . . . No. 2676

By Mr. Wojtkowski of Pittsfield, petition of Edwin R. Grady, Jr., for legislation relative to physical education of pupils in the public schools and providing that certain pupils shall be excused from taking part in military exercises. Education.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

### AN ACT RELATIVE TO PHYSICAL EDUCATION IN THE PUBLIC SCHOOLS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 71 of the General Laws is hereby amended  
2 by striking out section 1 and inserting in place thereof the follow-  
3 ing section: —

4 *Section 1.* Every town shall maintain, for at least one hun-  
5 dred and sixty days in each school year unless specifically ex-  
6 empted as to any one year by the department of education in  
7 this chapter called the department, a sufficient number of schools  
8 for the instruction of all children who may legally attend a public  
9 school therein. Such schools shall be taught by teachers of com-  
10 petent ability and good morals, and shall give instruction and  
11 training in orthography, reading, writing, the English language  
12 and grammar, geography, arithmetic, drawing, music, the his-  
13 tory and constitution of the United States, the duties of citizen-  
14 ship, physiology and hygiene, physical education, and good  
15 behavior. In connection with physiology and hygiene, instruc-  
16 tion as to the effects of alcoholic drinks and of stimulants and  
17 narcotics of the human system, and to tuberculosis and its pre-  
18 vention, shall be given to all pupils in all schools under public  
19 control, except schools maintained solely for instructions in  
20 particular branches. Such other subjects as the school committee  
21 considers expedient may be taught in the public schools.

1 SECTION 2. Said chapter 71 is hereby further amended by  
2 striking out section 3 and inserting in place thereof the following  
3 section: —

4 *Section 3.* Physical education in the public schools may in-  
5 clude calisthenics, gymnastics and military drill; but no pupil  
6 shall be required to take part in any military exercise if his parent  
7 or guardian is of any religious denomination conscientiously  
8 opposed to bearing arms, or is himself so opposed, and the school  
9 committee is so notified in writing; or if a physician of good  
10 standing certifies in writing that in his opinion such physical  
11 education would be injurious to the pupil.

1 SECTION 3. Said chapter 71 is hereby further amended by  
2 striking out section 47 and inserting in place thereof the follow-  
3 ing section: —

4 *Section 47.* The committee may supervise and control all  
5 athletic and other organizations composed of public school  
6 pupils and bearing the school name or organized in connection  
7 therewith. It may directly or through an authorized repre-  
8 sentative determine under what conditions the same may com-  
9 pete with similar organizations in other schools. Expenditures  
10 by the committee for the organization and conduct of physical  
11 education, athletics, sports, games and play, for providing proper  
12 apparatus, equipment, supplies, athletic wearing apparel, in-  
13 cluding appropriate souvenir garments and trophies, and facili-  
14 ties for the same in the buildings, yards and playgrounds under  
15 the control of the committee, or upon any other land which it  
16 may have the right or privilege to use for this purpose, and for  
17 the employment of qualified teachers and coaches to supervise  
18 said physical education, athletics, sports, games and play, shall  
19 be deemed to be for a school purpose. Cities and towns may  
20 appropriate for the employment of coaches to supervise in public  
21 schools physical education, athletics, sports, games and play,  
22 and for the transportation and expenses of public athletic teams,  
23 coaches, cheerleaders, bands and any other groups composed of  
24 public school pupils which bear the school name and are under  
25 the control of the school committee, within and without the  
26 commonwealth, to places where athletic contests or physical  
27 education, sports, games, play, musical festivals, competition or  
28 other events are held, and for the purchase of band and cheer-

29 leaders' uniforms and musical instruments for the members of  
30 bands composed of public school pupils and bearing the school  
31 name and under the control of the school committee. All re-  
32 ceipts by the committee in connection with the conduct of  
33 activities provided for under this section shall be deposited with  
34 the treasurer of such town or, in cases where the town is a mem-  
35 ber of a regional school district, with the treasurer of such dis-  
36 trict, and held as a separate account and expended by said  
37 school committee without further appropriation, notwithstand-  
38 ing the provisions of section fifty-three of chapter forty-four.  
39 No monies may be expended from an appropriation or from the  
40 separate fund authorized by this section except upon approval  
41 of the school committee, or the selectmen in towns and of  
42 mayors in cities for travel to other states.

